

## SECTION 44. GENERAL ZONING DISTRICT PROVISIONS

### Subdivision

- 44.01 Establishment of Districts
- 44.02 Zoning District Boundaries
- 44.03 Zoning Map

**44.01 ESTABLISHMENT OF DISTRICTS:** In order to classify, regulate and restrict the location of trade and industry and the location of buildings designated for specific uses, to protect residential uses, to regulate and limit the height and bulk of buildings hereafter erected or altered, to regulate and limit the intensity of the use of lot areas, and to regulate and determine the areas of yards, recreation and open space within and surrounding such buildings, St. Augusta is hereby divided into the following zoning districts.

A. Agricultural Districts:

- 1. A-1, General Agricultural District
- 2. A-2, Limited Agricultural District

B. Residential Districts:

- 1. R-1, Suburban Residential District
- 2. R-2, Urban Single Family District
- 3. R-3, Urban Single and Two Family District
- 4. R-4, Medium Density Residential District
- 5. R-5, High Density Residential District

C. Business Districts:

- 1. B-1, Neighborhood Business District
- 2. B-2, Highway Business District
- 3. B-3, General Business District
- 4. B-W, Business/Warehousing District

D. Industrial Districts:

- 1. I-1, Limited Industrial District
- 2. I-2, General Industrial District

E. Special Districts:

1. INS, Institutional District
2. PUD, Planned Unit Development District
3. S, Shoreland Overlay District
4. W, Wetland System District
5. FP, Floodplain District

**44.02 ZONING DISTRICT BOUNDARIES:** Zoning district boundary lines established by this Ordinance generally follow lot lines, the centerlines of railroad right-of-way lines, street rights-of-way, water courses or the corporate limit lines, all as they exist upon the effective date of this Ordinance.

- A. Appeals concerning the exact location of a zoning district boundary line shall be heard by the City Council serving as the Board of Adjustment and Appeals pursuant to Section 8 of this Ordinance.
- B. Whenever any street, alley or other public way is vacated by official action of the City, the zoning district adjoining each side of such street, alley or public way shall be automatically extended to the center of such vacation, and all area included in the vacation shall then and henceforth be subject to all appropriate regulations of the extended districts.
- C. All streets, alleys, public ways and railroad rights-of-way, if not otherwise specifically designated, shall be deemed to be in the same zone as the property in the most restrictive classification immediately abutting upon such alleys, streets, public ways or railroad rights-of-way. Where the center line of a street, alley, public way or railroad right-of-way serves as a district boundary, the zoning of such areas, unless otherwise specifically designated, shall be deemed to be the same as that of the abutting property up to such center line.
- D. All areas within the corporate limits of the City which are under water and which are not shown as included within any zone shall be subject to all regulations of the zone which immediately adjoins such water area. If such water area adjoins two or more zones the boundaries of each zone shall be construed to be extended into the water area in a straight line until they meet the other district at the half-way point and/or to the corporation limits.

**44.03 ZONING MAP:** The location and boundaries of the districts established by this text are hereby set forth on the Zoning Map entitled "Zoning Map of St. Augusta." Said map shall be on file with the Zoning Administrator, and hereinafter referred to as the "Zoning Map." Said map and all the notations, references and other information shown thereon shall have the same force and effect as if fully set forth herein and thereby made a part of this Ordinance by reference.

## SECTION 45. A-1, GENERAL AGRICULTURE DISTRICT

### Subdivision

- 45.01 Purpose
- 45.02 Permitted Uses
- 45.03 Interim Uses
- 45.04 Uses Allowed by Administrative Permit
- 45.05 Accessory Uses
- 45.06 Conditional Uses
- 45.07 Lot Area, Density, and Setback Requirements
- 45.08 Building Height
- 45.09 Residential Divisions

**45.01 PURPOSE:** The A-1, General Agriculture District is established for the purpose of preserving, promoting, maintaining and enhancing the use of land for commercial agricultural purposes, to prevent scattered and leap-frog urbanization and non-farm growth, to protect and preserve natural resource areas, and to stabilize increases in public expenditures for such public services as streets and street maintenance, police and fire protection, and schools. The A-1 District is further intended to govern and implement the Agricultural Preservation District as established by the Comprehensive Plan.

**45.02 PERMITTED USES:** Subject to applicable provisions of this Ordinance, the following are permitted uses in the A-1 District:

- A. Day care facilities, as defined in Section 2 of this Ordinance, licensed by the State and serving twelve (12) or fewer persons.
- B. Essential services as regulated by Section 28 of this Ordinance.
- C. Farms, farmsteads, farming and agricultural related buildings and structures subject to Minnesota Pollution Control Standards, but not including animal feedlots which require a conditional use permit as outlined in Section 23.07 of this Ordinance.
- D. Forestry, nurseries, greenhouses for growing only, landscape gardening, and tree farms, including sale of products only grown on premises.
- E. Hobby farms.
- F. Personal wireless service antennas located on a public structure or existing structure as regulated by Section 29 of this Ordinance.
- G. Public parks, playgrounds, recreational uses, wildlife areas, game farms, and game refuges.

- H. Residential care facilities serving six (6) or fewer persons.
- I. Single family detached dwellings at a density of not more than four (4) dwelling units per forty (40) acres of land.
- J. Temporary seasonal stands for the sale of agricultural products restricted to farms as regulated by Section 23 of this Ordinance.

**45.03 INTERIM USES:** Subject to applicable provisions of this Ordinance, the following are interim uses in the A-1 District and are governed by Section 5 of this Ordinance.

- A. Contractor's storage yard provided that:
  - 1. The minimum lot size shall be four and one-half (4.5) acres.
  - 2. An adequate septic system and well can be established on the site and which, if the use is approved, shall be subject to applicable City regulations.
  - 3. The amount of land devoted to the office and storage yard is minimized to the extent possible.
  - 4. The contractor's storage yard and any associated building is located a minimum of fifty (50) feet from all property lines or right-of-way lines, whichever provides for the greater setback, for all uses other than commercial or industrial uses; or located a minimum of twenty (20) feet from all property lines or right-of-way lines which abut any commercial or industrial use.
  - 5. The contractor's storage yard (that portion of the lot actively used for the contractor operation, parking, building, and storage area) is screened in accordance with Section 15.07 of this Ordinance.
  - 6. The use shall have access to a major collector street or higher classification street as designated by the Comprehensive Plan.
  - 7. No hazardous waste, garbage, refuse, items associated with junk yards or nuisance items defined by the Zoning Ordinance or applicable State Statutes shall be stored on site.
  - 8. No construction waste as defined by the Zoning Ordinance shall be stored on site unless specifically identified on the site plan for the interim use permit and approved by the City Council.

9. No flammable liquids shall be stored on site with the exception of fuel stored within approved Minnesota Pollution Control Agency storage tanks.
  10. No storage of materials (defined by the Zoning Ordinance as construction waste) shall be visible above the height of the fence or in locations that can be viewed from the public right-of-way or adjacent properties.
  11. All driveway and employee parking areas shall be surfaced to control drainage and dust as approved by the City Engineer.
  12. No retail sales shall be conducted from the site.
  13. The property owner shall enter into a performance agreement with the City identifying the terms and conditions under which the contractor's storage yard may operate.
  14. Other conditions as deemed necessary by the City Council to protect the health, safety and general welfare of the general public.
- B. Mining, sand and gravel extraction, land reclamation and alteration as regulated by Section 22 of this Ordinance.
  - C. Mobile homes (temporary) as regulated by Section 23 of this Ordinance.
  - D. Temporary mobile towers as regulated by Section 29 of this Ordinance.

**45.04 USES ALLOWED BY ADMINISTRATIVE PERMIT:** Subject to applicable provisions of this section, performance standards established by this Ordinance and processing requirements of Section 6, the following uses may be allowed in the A-1 District by administrative permit as may be issued by the Zoning Administrator.

- A. None.

**45.05 ACCESSORY USES:** Subject to applicable provisions of this Ordinance, the following are permitted accessory uses in the A-1 District:

- A. Fences as regulated by Section 15.06 of this Ordinance.
- B. Home occupations and home offices as regulated by Section 25 of this Ordinance.
- C. Operation and storage of such vehicles, equipment and machinery which are incidental and customary to permitted or conditional uses allowed in this district.
- D. Private garages and off-street parking spaces for licensed and operable passenger

cars and trucks.

- E. Private recreational vehicles and equipment.
- F. Radio and television receiving antennas including single satellite dish TVROs two (2) meters or less in diameter, short-wave radio dispatching antennas, or those necessary for the operation of household electronic equipment including radio receivers, federal licensed amateur radio stations and television receivers, as regulated by Section 29 of this Ordinance.
- G. Signs as regulated by Section 31 of this Ordinance.
- H. Swimming pools, tennis courts and other recreational facilities which are operated for the enjoyment and convenience of the residents of the principal use and their guests.
- I. Temporary seasonal sales of products produced on site (farms only) as regulated by Section 23.06 of this Ordinance.
- J. Tool houses, sheds and similar buildings for storage of domestic and farm supplies and non-commercial recreational equipment.

**45.06 CONDITIONAL USES:** Subject to applicable provisions of this Ordinance, the following are conditional uses allowed in the A-1 District: (Requires a conditional use permit based upon procedures and performance standards set forth in and regulated by Sections 4.02 and 4.04 of this Ordinance.)

- A. Animal feedlots as regulated by Section 23.07 of this Ordinance.
- B. Cemeteries, provided that the site accesses on a major collector.
- C. Commercial outdoor recreation provided that:
  - 1. The land upon which such use is to be located is marginal in terms of agricultural production.
  - 2. The amount of land devoted to buildings is minimized to the extent possible but in no case shall exceed five (5) percent of the lot area up to a maximum of four thousand (4,000) square feet.
  - 3. An adequate septic system and well can be established on the site and which, if the use is approved, shall be subject to applicable City regulations.
- D. Commercial riding stables, dog kennels, animal hospitals with overnight care and

similar uses provided that the provisions of Section 24 of this Ordinance related to the keeping of animals are considered and determined to be satisfied.

- E. Governmental and public regulated utility buildings and structures necessary for the health, safety and general welfare of the City.
- F. Personal wireless service antennas not located on a public structure or existing tower as regulated by Section 29 of this Ordinance.
- G. Single satellite dish TVROs greater than two (2) meters in diameter as regulated by Section 29 of this Ordinance.
- H. Single family detached dwellings at a density greater than four (4) dwelling units per forty (40) acres of land provided that:
  - 1. The property is located within the agriculture-rural service area designated by the Comprehensive Plan.
  - 2. The residential density not exceed ten (10) dwelling units per forty (40) acres of land.
  - 3. The single family lots conform with minimum A-1 District standards in regard to lot area, dimensions, setbacks and public street frontage.
  - 4. The lots are clustered in a contiguous fashion unless determined to be disruptive to agricultural activities.
  - 5. The land involved in the subdivision is non-tillable and marginal for use in agricultural production.
  - 6. The single family residential lots are capable of accommodating a private well and septic system.
  - 7. The provisions of Section 45.09 of this Ordinance are satisfied.
  - 8. The division is processed in accordance with the City's Subdivision Ordinance.
- I. Reductions in minimum residential lot frontages, provided that:
  - 1. In no case shall the frontage be less than fifty (50) feet.
  - 2. The reduction is based upon topography, natural features or some other physical reason which justifies to the satisfaction of the City Council a deviation from the established minimum.

3. All other applicable provisions of Section 45.07, 45.08, and 45.09 of this Ordinance are met.

**45.07 LOT AREA, DENSITY, AND SETBACK REQUIREMENTS:** The following requirements shall be observed in an A-1 District, subject to additional requirements, exceptions and modifications set forth in this Ordinance.

A. Lot Area Requirements:

1. Lot area: Not less than forty-five thousand (45,000) square feet.
2. Lot width: Not less than one hundred fifty (150) feet.
3. Lot depth: Not less than one hundred fifty (150) feet.

B. Maximum Density: Not greater than four (4) dwellings per forty (40) acres unless approved by a conditional use permit as provided in this section.

C. Principal Structure Setbacks:

1. Front Yard:

Setbacks From Right of-Way Lines	Street Class
35 feet	State/Federal Highway
35 feet	County Road
35 feet	Local Street
35 feet	From Cul-De-Sac Right-of-Way

Where a lot is located at the intersection of two (2) or more streets or highways which bound two (2) or more sides of the lot, no building shall project beyond the front yard setback line.

2. Side Yard: Ten (10) feet.
3. Rear Yard: Fifty (50) feet.

D. Accessory Structure Setbacks as regulated by Section 15.04 of this Ordinance.

**45.08 BUILDING HEIGHT:** The following minimum requirements shall be observed in the

A-1 District, subject to additional requirements, exceptions, and modifications set forth in this Ordinance.

- A. The maximum height of all principal buildings shall not exceed thirty-five (35) feet.
- B. Accessory structures shall be governed by Section 15.04 of this Ordinance.

**45.09 RESIDENTIAL DIVISIONS:** As may be allowed by this subdivision, "divisions" to be used as residential dwelling sites shall comply with the following:

- A. The divisions shall have a minimum of one hundred fifty (150) feet of City street frontage unless a reduction is approved by a conditional use permit as provided in this section.
- B. The minimum lot size is forty-five thousand (45,000) square feet.
- C. A deed restriction shall be placed upon parcels that have exercised development rights to prohibit additional subdivision, unless it is rezoned.
- D. The initial parcel(s) is under common ownership.
- E. The division is processed according to the City's Subdivision Ordinance.
- F. The site is capable of accommodating a private well and septic system.
- G. All applicable feedlot setbacks of Section 23.07 of this Ordinance are satisfactorily met.
- H. Maximum Density: Not greater than four (4) units per forty (40) acres unless approved by a Conditional Use Permit as provided in this section.

## SECTION 46. A-2, LIMITED AGRICULTURE DISTRICT

### Subdivision

- 46.01 Purpose
- 46.02 Permitted Uses
- 46.03 Interim Uses
- 46.04 Uses Allowed by Administrative Permit
- 46.05 Accessory Uses
- 46.06 Conditional Uses
- 46.07 Lot Area, Density, and Setback Requirements
- 46.08 Building Height
- 46.09 Residential Divisions

**46.01 PURPOSE:** The purpose of the A-2, Limited Agriculture District is to provide suitable areas of the City to be retained and utilized for low density residential, open space, and/or agricultural activities and to prevent the premature conversion of rural lands to urban use. The A-2 District is further intended to govern and implement the Urban Service Reserve Area as defined by the Comprehensive Plan.

**46.02 PERMITTED USES:** Subject to applicable provisions of this Ordinance, the following are permitted uses in the A-2 District:

- A. Day care facilities, as defined in Section 2 of this Ordinance, licensed by the State and serving twelve (12) or fewer persons.
- B. Essential services.
- C. Farms, farmsteads, farming and agricultural related buildings and structures subject to Minnesota Pollution Control Standards, but not including animal feedlots or other commercial operations.
- D. Forestry, nurseries, greenhouses for growing only, landscape gardening, and tree farms including sale of products only grown on premises.
- E. Hobby farms.
- F. Personal wireless service antennas located upon a public structure or existing tower, as regulated by Section 29 of this Ordinance.
- G. Public parks, playgrounds, recreational uses, wildlife areas, game farms, and game refuges.

- H. Residential care facilities serving six (6) or fewer persons.
- I. Single family detached dwellings at a density of not more than four (4) dwelling units per forty (40) acres of land.

**46.03 INTERIM USES:** Subject to applicable provisions of this Ordinance, the following are interim uses in the A-2 District and are governed by Section 5 of this Ordinance.

- A. Mining, sand and gravel extraction, land reclamation and alteration as regulated by Section 22 of this Ordinance.
- B. Mobile homes (temporary) as regulated by Section 23 of this Ordinance.
- C. Temporary mobile towers as regulated by Section 29 of this Ordinance.

**46.04 USES BY ADMINISTRATIVE PERMIT:** Subject to applicable provisions of this section, performance standards established by this Ordinance and processing requirements of Section 6, the following uses may be allowed in the A-2 District by administrative permit as may be issued by the Zoning Administrator.

- A. None.

**46.05 ACCESSORY USES:** Subject to applicable provisions of this Ordinance, the following are permitted accessory uses in the A-2 District:

- A. Fences as regulated by Section 15.06 of this Ordinance.
- B. Home occupations and home offices as regulated by Section 25 of this Ordinance.
- C. Operation and storage of such vehicles, equipment and machinery which are incidental and customary to permitted or conditional uses allowed in this district.
- D. Private garages and off-street parking spaces for licensed and operable passenger cars and trucks.
- E. Private recreational vehicles and equipment.
- F. Radio and television receiving antennas including single satellite dish TVROs two (2) meters or less in diameter, short-wave radio dispatching antennas, or those necessary for the operation of household electronic equipment including radio receivers, federal licensed amateur radio stations and television receivers, as

regulated by Section 29 of this Ordinance.

- G. Signs as regulated by Section 31 of this Ordinance.
- H. Swimming pools, tennis courts and other recreational facilities which are operated for the enjoyment and convenience of the residents of the principal use and their guests.
- I. Tool houses, sheds and similar buildings for storage of domestic and farm supplies and non-commercial recreational equipment.

**46.06 CONDITIONAL USES:** Subject to applicable provisions of this Ordinance, the following are conditional uses allowed in the A-2 District: (Requires a conditional use permit based upon procedures and performance standards set forth in and regulated by Sections 4.02 and 4.04 of this Ordinance.)

- A. Cemeteries, provided that the site accesses on a major collector.
- B. Commercial outdoor recreational areas including golf courses and country clubs, swimming pools and similar facilities provided that:
  - 1. The principal use, function or activity is open, outdoor in character.
  - 2. Not more than five (5) percent of the land area up to a maximum of four thousand (4,000) square feet of the site shall be covered by buildings or structures.
- C. Governmental and public regulated utility buildings and structures necessary for the health, safety and general welfare of the City.
- D. Personal wireless service antennas not located on a public structure or existing tower as regulated by Section 29 of this Ordinance.
- E. Single satellite dish TVROs greater than two (2) meters in diameter as regulated by Section 29 of this Ordinance.
- F. Temporary seasonal sales of products produced on site (farms only) as regulated by Section 23.06 of this Ordinance.
- G. Maximum Density: Not greater than four (4) units per forty (40) acres unless approved by a Conditional Use Permit as provided in this section.

**46.07 LOT AREA, DENSITY, AND SETBACK REQUIREMENTS:** The following minimum requirements shall be observed in the A-2 District, subject to additional

requirements, exceptions and modifications set forth in this Ordinance.

A. Lot Requirements:

1. Within the primary urban service reserve area (defined by the Comprehensive Plan):
2.
  - a. Minimum lot area: 45,000 square feet
  - b. Maximum lot area: 2.5 acres
2. Within the secondary urban service reserve area (defined by the Comprehensive Plan):
  - a. Minimum lot area: 45,000 square feet
  - b. Maximum lot area: No limit

B. Maximum Density: Not greater than four (4) units per forty (40) acres unless approved by a Conditional Use Permit as provided in this section

C. Principal Structure Setbacks:

1. Front Yard:

Setbacks From Right of-Way Lines	Street Class
35 feet	State/Federal Highway
35 feet	County Road
35 feet	Local Street
35 feet	From Cul-De-Sac Right-of-Way

Where a lot is located at the intersection of two (2) or more streets or highways which bound two (2) or more sides of the lot, no building shall project beyond the front yard line of either street.

2. Side Yard: Ten (10) feet.
3. Rear Yard: Fifty (50) feet.

D. Accessory structure setbacks as regulated by Section 15.04 of this Ordinance.

**46.08 BUILDING HEIGHT:** The following minimum requirements shall be observed in the A-2 District, subject to additional requirements, exceptions and modifications set forth in this Ordinance:

- A. The maximum height of principal buildings shall not exceed thirty-five (35) feet.
- B. Accessory structures shall be governed by Section 15.04 of this Ordinance.

**46.09 RESIDENTIAL DIVISIONS:** As may be allowed by this subdivision, “divisions” to be used as residential dwelling sites shall comply with the following:

- A. The divisions shall have a minimum of fifty (50) feet of City street frontage.
- B. The minimum lot size is forty-five thousand (45,000) square feet.
- C. A deed restriction shall be placed upon parcels that have exercised development rights to prohibit additional subdivision, unless it is rezoned.
- D. The initial parcel(s) is under common ownership.
- E. The division is processed according to the City’s Subdivision Ordinance.
- F. The site is capable of accommodating a private well and septic system.

**SECTION 47. RESERVED**

**SECTION 48**  
**R-1, SUBURBAN RESIDENTIAL DISTRICT**

Subdivision

- 48.01 Purpose
- 48.02 Permitted Uses
- 48.03 Interim Uses
- 48.04 Uses Allowed by Administrative Permit
- 48.05 Accessory Uses
- 48.06 Conditional Uses
- 48.07 Lot Area and Setback Requirements
- 48.08 Lot Coverage and Height

<sup>4</sup> **48.01 PURPOSE:** The purpose of the R-1, Suburban Residential District is to provide for low to medium density single family detached dwelling units and directly related, complementary uses in areas designated as the rural service area by the Comprehensive Plan.

**48.02 PERMITTED USES:** Subject to applicable provisions of this Ordinance, the following are permitted uses in the R-1 District:

- A. Day care facilities serving twelve (12) or fewer persons.
- B. Essential services.
- C. Personal wireless service antennas located upon a public structure or existing tower, as regulated by Section 29 of this Ordinance.
- D. Public parks, playgrounds, and residential uses.
- E. Residential care facilities serving six (6) or fewer persons.
- F. Single family detached dwellings.

**48.03 INTERIM USE:** Subject to applicable provisions of this Ordinance, the following are interim uses in the R-1 District and are governed by Section 5 of this Ordinance:

- A. Farms, farmsteads, and farming.
- B. Temporary mobile towers as regulated by Section 29 of this Ordinance.

**48.04 USES BY ADMINISTRATIVE PERMIT:** Subject to applicable provisions of this section, performance standards established by this Ordinance, and processing requirements of Section 6, the following are uses allowed in the R-1 District by administrative permit as may be issued by the Zoning Administrator:

- A. Model homes, temporary, as regulated by Section 19 of this Ordinance.
- B. Real estate offices, temporary, as regulated by Section 19 of this Ordinance.

**48.05 ACCESSORY USES:** Subject to applicable provisions of this Ordinance, the following are permitted accessory uses in the R-1 District:

- A. Accessory uses incidental and customary to the uses permitted in Sections 48.02, 48.03, and 48.06 of this Ordinance.
- B. Fences as regulated by Section 15.06 of this Ordinance.
- C. Home occupations and home offices as regulated by Section 25 of this Ordinance.
- D. Non-commercial greenhouses, provided they do not exceed two hundred (200) square feet in area.
- E. Private garages and off-street parking.
- F. Except as otherwise limited, private recreational facilities, only accessory to an existing principal permitted use on the same lot and which are operated for the enjoyment and convenience of the residents of the principal use and their occasional guests.
- G. Radio and television receiving antennas including single satellite dish TVROs two (2) meters or less in diameter, short-wave radio dispatching antennas, or those necessary for the operation of household electronic equipment including radio receivers, federal licensed amateur radio stations and television receivers, as regulated by Section 29 of this Ordinance.
- H. Recreational vehicles and equipment.
- I. Signs as regulated by Section 31 of this Ordinance.
- J. Tool houses, sheds and other such structures for the storage of domestic supplies and equipment.

**48.06 CONDITIONAL USES:** Subject to applicable provisions of this Ordinance, the following are conditional uses in the R-1 District. (Requires a conditional use permit based upon procedures and performance standards set forth in and regulated by Sections 4.02 and 4.04 of this Ordinance.)

- A. Governmental and public related utility buildings and structures necessary for the health, safety and general welfare of the City.
- B. Personal wireless service antennas not located on a public structure or existing tower as regulated by Section 29 of this Ordinance.
- C. Public or semi-public recreational buildings and neighborhood or community centers; public and private educational institutions limited to elementary, junior high and senior high schools; and religious institutions such as churches, chapels, temples and synagogues provided that side yards shall be double that required for the district.
- D. Single satellite dish TVROs greater than two (2) meters in diameter as regulated by Section 29 of this Ordinance.

**48.07 LOT AREA AND SETBACK REQUIREMENTS:** The following minimum requirements shall be observed in the R-1 District subject to additional requirements, exceptions and modifications set forth in this Ordinance.

A. Lot Area Requirements:

On-Site Sewer  
and Water Systems

1.	Lot Area	45,000 square feet*
2.	Lot Width	150 feet
3.	Lot Depth	100 feet

\* Additional lot area may be required if soils demonstrate inability to satisfactorily accommodate on-site sewer and water systems.

- <sup>4</sup> B. Density. Not greater than one (1) dwelling unit per forty-five thousand (45,000) square feet. In anticipation of future urban development, the City shall allow interim densities of four (4) units per forty (40) acres with a minimum lot size of one (1) acre. Clustering of developable lots shall be mandatory to ensure that future City services can be accommodated. Transfer of development rights shall be allowed provided the properties upon which the transfer area occurs is contiguous and of common ownership. A minimum of forty (40) acres shall be required to split off ten (10) developable acres. A minimum of thirty (30) acres shall be necessary to split off seven and one-half (7.5) developable acres. A

minimum of twenty (20) acres shall be required to split off five (5) developable acres. One (1) lot, not to exceed two and one-half (2.5) acres in size, may be split from an existing parcel of less than twenty (20) acres if it is demonstrated that the minimum developable area satisfies the requirements of this Ordinance and that there is sufficient area identified for the establishment of existing or future City services. Below is a table that represents the requirements per acre:

Total Acres	Maximum Allowed for a Lot Split
40 acres	10 developable acres
30 acres	7.5 developable acres
20 acres	5 developable acres
Less than 20 acres	2.5 developable acres

C. Principal Structure Setbacks:

1. Front Yard:

Setbacks From Right of-Way Lines	Street Class
35 feet	State/Federal Highway
35 feet	County Road
35 feet	Local Street
35 feet	From Cul-De-Sac Right-of-Way

Where a lot is located at the intersection of two (2) or more streets or highways which bound two (2) or more sides of the lot, no building shall project beyond the front yard line of either street.

2. Side Yard: Ten (10) feet.

3. Rear Yard: Twenty (20) feet.

D. Accessory Structures Setbacks as regulated by Section 15.04 of this Ordinance.

**48.08 LOT COVERAGE AND HEIGHT:** The following requirements shall be observed in the R-1 District:

A. The total ground area of all residential buildings shall not exceed a lot coverage of thirty (30) percent.

B. All single family residences shall be limited to a maximum height of two and one-half (2.5) stories or thirty-five (35) feet.

C. Accessory structures as governed by Section 15.04 of this Ordinance.

<sup>4</sup>D. The combined total floor area of a detached accessory building or buildings or detached garages shall not exceed the following maximum area requirements:

1. Within the urban service area designated by the Comprehensive Plan:

<b>Lot Area</b>	<b>Maximum Total Floor Area of All Detached Accessory Structures</b>
1.00 acres or smaller	1,250 square feet
1.01 to 2.00 acres	1,500 square feet
2.01 to 4.99 acres	2,000 square feet
5.00 to 6.99 acres	2,500 square feet
7.00 acres or larger	4,000 square feet

2. Within the rural service area designated by the Comprehensive Plan:

<b>Lot Area</b>	<b>Maximum Total Floor Area of All Detached Accessory Structures</b>
1.00 acres or smaller	1,250 square feet
1.01 to 2.00 acres	1,500 square feet
2.01 to 4.99 acres	2,000 square feet
5.00 to 6.99 acres	2,500 square feet
7.00 to 9.99 acres	4,000 square feet
10.00 acres or larger	No Limit

<sup>4</sup>E. Density. In anticipation of future urban development, the City shall allow interim densities of four (4) units per forty (40) acres with a minimum lot size of one (1) acre. Clustering of developable lots shall be mandatory to ensure that future City services can be accommodated. Transfer of development rights shall be allowed provided the properties upon which the transfer area occurs is contiguous and of common ownership. A minimum of forty (40) acres shall be required to split off ten (10) developable acres. A minimum of thirty (30) acres shall be necessary to split off seven and one-half (7.5) developable acres. A minimum of twenty (20) acres shall be required to split off five (5) developable acres. One (1) lot, not to exceed two and one-half (2.5) acres in size, may be split from an existing parcel of less than twenty (20) acres if it is demonstrated that the minimum developable area satisfies the requirements of this Ordinance and that there is sufficient area identified for the establishment of existing or future City services. Below is a table that represents the requirements per acre:

<b>Total Acres</b>	<b>Maximum Allowed for a Lot Split</b>
40 acres	10 developable acres
30 acres	7.5 developable acres
20 acres	5 developable acres
Less than 20 acres	2.5 developable acres

## SECTION 49. R-2, URBAN RESIDENTIAL DISTRICT

### Subdivision

- 49.01 Purpose
- 49.02 Permitted Uses
- 49.03 Interim Uses
- 49.04 Uses Allowed by Administrative Permit
- 49.05 Accessory Uses
- 49.06 Conditional Uses
- 49.07 Lot Area and Setback Requirements
- 49.08 Lot Coverage and Height
- 49.09 Water and Sewer Service

**49.01 PURPOSE:** The purpose of the R-2, Urban Residential District is to provide for single family dwelling units at a relatively dense urban scale upon the availability of public sanitary sewer service.

**49.02 PERMITTED USES:** Subject to applicable provisions of this Ordinance, the following are permitted uses in the R-2 District:

- A. Day care facilities serving twelve (12) or fewer persons.
- B. Essential services.
- C. Personal wireless service antennas located upon a public structure or existing tower, as regulated by Section 29 of this Ordinance.
- D. Public parks, playgrounds, and residential uses.
- E. Residential care facilities serving six (6) or fewer persons.
- F. Single family detached dwellings.

**49.03 INTERIM USE:** Subject to applicable provisions of this Ordinance, the following are interim uses in the R-2 District and are governed by Section 5 of this Ordinance:

- A. Farms, farmsteads, and farming.
- B. Temporary mobile towers as regulated by Section 29 of this Ordinance.

**49.04 USES BY ADMINISTRATIVE PERMIT:** Subject to applicable provisions of this section, performance standards established by this Ordinance, and processing

requirements of Section 6, the following are uses allowed in an R-2 District by administrative permit as may be issued by the Zoning Administrator:

- A. Model homes, temporary, as regulated by Section 19 of this Ordinance.
- B. Real estate offices, temporary, as regulated by Section 19 of this Ordinance.

**49.05 ACCESSORY USES:** Subject to applicable provisions of this Ordinance, the following are permitted accessory uses in the R-2 District:

- A. Accessory uses incidental and customary to the uses permitted in Sections 49.02, 49.03, and 49.06 of this Ordinance.
- B. Fences as regulated by Section 15.06 of this Ordinance.
- C. Home occupations and home offices as regulated by Section 25 of this Ordinance.
- D. Non-commercial greenhouses, provided they do not exceed two hundred (200) square feet in area.
- E. Private garages and off-street parking.
- F. Except as otherwise limited, private recreational facilities, accessory to an existing principal permitted use on the same lot and which is operated for the enjoyment and convenience of the residents of the principal use and their occasional guests.
- G. Radio and television receiving antennas including single satellite dish TVROs two (2) meters or less in diameter, short-wave radio dispatching antennas, or those necessary for the operation of household electronic equipment including radio receivers, federal licensed amateur radio stations and television receivers, as regulated by Section 29 of this Ordinance.
- H. Recreational vehicles and equipment.
- I. Signs as regulated by Section 31 of this Ordinance.
- J. Tool houses, sheds and other such structures for the storage of domestic supplies and equipment.

**49.06 CONDITIONAL USES:** Subject to applicable provisions of this Ordinance, the following are conditional uses in the R-2 District. (Requires a conditional use permit based upon procedures and performance standards set forth in and regulated by Sections 4.02 and 4.04 of this Ordinance.)

- A. Governmental and public related utility buildings and structures necessary for the health, safety and general welfare of the City.
- B. Personal wireless antennas not located on a public structure or existing tower as regulated by Section 29 of this Ordinance.
- C. Public or semi-public recreational buildings and neighborhood or community centers; public and private educational institutions limited to elementary, junior high and senior high schools; and religious institutions such as churches, chapels, temples and synagogues provided that side yards shall be double that required for the district.
- D. Single satellite dish TVROs greater than two (2) meters in diameter as regulated by Section 29 of this Ordinance.

**49.07 LOT AREA AND SETBACK REQUIREMENTS:** The following minimum requirements shall be observed in the R-2 District subject to additional requirements, exceptions and modifications set forth in this Ordinance.

A. Lot Area Requirements:

- 1. Lot Area: Not less than fifteen thousand (15,000) square feet.
- 2. Lot Width: Not less than seventy-five (75) feet.
- 3. Lot Depth: Not less than one hundred (100) feet.

B. Principal Structure Setbacks:

1. Front Yard:

Setbacks From Right of-Way Lines	Street Class
35 feet	State/Federal Highway
35 feet	County Road
35 feet	Local Street
35 feet	From Cul-De-Sac Right-of-Way

Where a lot is located at the intersection of two (2) or more streets or highways which bound two (2) or more sides of the lot, no building shall project beyond the front yard line of either street.

2. Side Yard: Ten (10) feet.
  3. Rear Yard: Twenty (20) feet.
  4. Buffer Yard: The side or rear yard setback shall be:
    - a. Thirty-five (35) feet if abutting an existing business district.
    - b. Fifty (50) feet if abutting an existing industrial district.
- C. Accessory Structures Setbacks as regulated by Section 15.04 of this Ordinance.

**49.08 LOT COVERAGE AND HEIGHT:** The following requirements shall be observed in the R-2 District:

- A. The total ground area of all residential buildings shall not exceed a lot coverage of thirty (30) percent.
- B. All single family residences shall be limited to a maximum height of two and one-half (2.5) stories or thirty-five (35) feet.
- C. Accessory structures as governed by Section 15.04 of this Ordinance.

**49.09 WATER AND SEWER SERVICE:** Each parcel shall be provided connection to public water and sanitary sewer systems.

## SECTION 50. R-3, URBAN SINGLE AND TWO FAMILY RESIDENTIAL DISTRICT

### Subdivision

- 50.01 Purpose
- 50.02 Permitted Uses
- 50.03 Interim Uses
- 50.04 Uses Allowed by Administrative Permit
- 50.05 Accessory Uses
- 50.06 Conditional Uses
- 50.07 Lot Area and Setback Requirements
- 50.08 Lot Coverage and Height

**50.01 PURPOSE:** The purpose of the R-3, Urban Single and Two Family Residential District is to provide for higher density single family dwelling units and to introduce on a restricted basis, two family dwelling units and directly related, complementary uses in areas of the City which have publicly controlled sanitary sewer service. This district is only intended for those portions of the community designated as urban service areas by the Comprehensive Plan.

**50.02 PERMITTED USES:** Subject to applicable provisions of this Ordinance, the following are permitted uses in the R-3 District:

- A. Day care facilities serving twelve (12) or fewer persons.
- B. Essential services.
- C. Personal wireless service antennas located upon a public structure, as regulated by Section 29 of this Ordinance.
- D. Residential care facilities serving six (6) or fewer persons.
- E. Public parks and playgrounds.
- F. Single family detached dwellings.

**50.03 INTERIM USES:** Subject to applicable provisions of this Ordinance, the following are interim uses in the R-3 District and are governed by Section 5 of this Ordinance

- A. Farms, farmsteads, and farming.

- B. Temporary mobile towers as regulated by Section 29 of this Ordinance.

**50.04 USES BY ADMINISTRATIVE PERMIT:** Subject to applicable provisions of this section, performance standards established by this Ordinance, and processing requirements of Section 6, the following are uses allowed in the R-3 District by administrative permit as may be issued by the Zoning Administrator:

- A. Model homes, temporary, as regulated by Section 19 of this Ordinance.
- B. Real estate offices, temporary, as regulated by Section 19 of this Ordinance.

**50.05 ACCESSORY USES:** Subject to applicable provisions of this Ordinance, the following are permitted accessory uses in the R-3 District:

- A. Accessory uses incidental and customary to the uses permitted in Sections 50.02, 50.03, and 50.06 of this Ordinance.
- B. Fences as regulated by Section 15.06 of this Ordinance.
- C. Home occupations and home offices as regulated by Section 25 of this Ordinance.
- D. Non-commercial greenhouses, provided they do not exceed two hundred (200) square feet in area.
- E. Private garages and off-street parking.
- F. Except as otherwise limited, private recreational facilities, only accessory to an existing principal permitted use on the same lot and which are operated for the enjoyment and convenience of the residents of the principal use and their occasional guests.
- G. Radio and television receiving antennas including single satellite dish TVROs, short-wave radio dispatching antennas, or those necessary for the operation of household electronic equipment including radio receivers, federal licensed amateur radio stations and television receivers, as regulated by Section 29 of this Ordinance.
- H. Recreational vehicles and equipment.
- I. Signs as regulated by Section 31 of this Ordinance.
- J. Tool houses, sheds and other such structures for the storage of domestic supplies and equipment.

**50.06 CONDITIONAL USES:** Subject to applicable provisions of this Ordinance, the following are conditional uses in an R-3 District. (Requires a conditional use permit based upon procedures set forth and regulated by Sections 4.02 and 4.04 of this Ordinance.)

- A. Governmental and public related utility buildings and structures necessary for the health, safety and general welfare of the City.
- B. Personal wireless service towers and antennas not located on a public structure as regulated by Section 29 of this Ordinance.
- C. Public or semi-public recreational buildings and neighborhood or community centers; public and private educational institutions limited to elementary, junior high and senior high schools; and religious institutions such as churches, chapels, temples and synagogues provided that side yards shall be double that required for the district.
- D. Manufactured home parks, provided that:
  - 1. The minimum area required for a manufactured home park designation shall be twenty (20) acres.
  - 2. The following minimum lot requirements are satisfactorily met:
    - a. Lot Area: Fifteen Thousand (15,000) Square Feet.
    - b. Lot Width: Seventy-Five (75) Feet.
    - c. Lot Depth: One Hundred (100) Feet.
  - 3. The following principal structure setbacks are satisfactorily met:
    - a. Front Yard:

Setbacks

<u>From Right-of-Way Lines</u>	<u>Road Class</u>
35 feet	Principal Arterial
35 feet	Minor Arterial
35 feet	Local Street
35 feet	From Cul-De-Sac Right-of-Way

Where a lot is located at the intersection of two (2) or more roads or highways which bound two (2) or more sides of the lot, no building shall project beyond the front yard line of either road.

- b. Side Yard: Ten (10) feet.
- c. Rear Yard: Twenty (20) feet.
- d. Buffer Yard: The side yard or rear yard setback shall be:
  - (1) Thirty-five (35) feet if abutting an existing business district.
  - (2) Fifty (50) feet if abutting an existing industrial district.
- 4. Accessory buildings, uses and equipment comply with the applicable provisions of Section 15.04 of this Ordinance.
- 5. The total ground area of all residential buildings not exceed a lot coverage of thirty (30) percent.
- 6. All residences be limited to a maximum height of one (1) story or twenty-five (25) feet.
- 7. The manufactured home park is developed in accordance with the City's Subdivision Ordinance and all public improvement requirements incorporated therein.
- 8. A storm shelter is provided in compliance with Minnesota Statutes. The City may require additional measures as determined necessary to safeguard the health and safety of persons occupying the manufactured home park. Such measures may include but shall not be limited to screening and/or landscape berms. All emergency storm protection measures shall be subject to City Council approval.
- 9. The manufactured home park shall comply with Minnesota Statutes 327.20 et seq or all applicable City ordinances whichever is the more restrictive.
- E. Single satellite dish TVROs greater than two (2) meters in diameter as regulated by Section 29 of this Ordinance.
- F. Two family detached dwellings, provided that:
  - 1. They are located and designed so as to be compatible with the surrounding neighborhood.
  - 2. The dwellings conform to all R-3 District setback requirements.

**50.07 LOT AREA AND SETBACK REQUIREMENTS:** The following minimum requirements

shall be observed in an R-3 District subject to additional requirements, exceptions and modifications set forth in this Ordinance.

A. Single Family:

1. Minimum Lot Area: Fifteen thousand (15,000) square feet.
2. Minimum Lot Width: Seventy-five (75) feet.
3. Minimum Lot Depth: One hundred (100) feet.

B. Two Family:

1. Minimum Lot Area: Thirty thousand (30,000) square feet.
2. Minimum Lot Area Per Unit: Fifteen thousand (15,000) square feet.
3. Minimum Lot Width: One hundred twenty (120) feet.
4. Minimum Lot Depth: One hundred (100) feet.

C. Principal Structure Setbacks:

1. Front Yard:

Setbacks

From Right

of-Way Lines      Road Class

35 feet	Principal/Minor Arterial Street
35 feet	Collector Street
35 feet	Local Street
35 feet	From Cul-De-Sac Right-of-Way

Where a lot is located at the intersection of two (2) or more streets that bound two (2) or more sides of the lot, no building shall project beyond the front yard line of either street.

2. Side Yard: Ten (10) feet.
3. Rear Yard: Twenty (20) feet.
4. Buffer Yard: The side yard or rear yard setback shall be:
  - a. Thirty-five (35) feet if abutting an existing business district.

b. Fifty (50) feet if abutting an existing industrial district.

D. Accessory Structure Setbacks as regulated by Section 15.04 of this Ordinance

**50.08 LOT COVERAGE AND HEIGHT:** The following lot coverage and height requirements shall be observed in an R-3 District:

A. The total ground area of all residential buildings shall not exceed a lot coverage of thirty (30) percent.

B. All residences shall be limited to a maximum height of two and one-half (2-1/2) stories or thirty-five (35) feet.

C. Accessory structures shall be governed by Section 15.04 of this Ordinance.

**SECTION 51**  
**R-4, MEDIUM DENSITY RESIDENTIAL DISTRICT**

Subdivision

- 51.01 Purpose
- 51.02 Permitted Uses
- 51.03 Interim Uses
- 51.04 Uses by Administrative Permit
- 51.05 Accessory Uses
- 51.06 Conditional Uses
- 51.07 Lot Area and Setback Requirements
- 51.08 Lot Coverage Height

<sup>4</sup> **51.01 PURPOSE:** The purpose of the R-4, Medium Density Residential District is to provide for low to moderate density through the mixture of one and two unit medium density dwellings and directly related complementary uses. The allowance of such uses and establishment of the district is dependent upon the availability of publicly controlled sanitary sewer service and only within portions of the City which have been designated as urban service areas by the Comprehensive Plan.

**51.02 PERMITTED USES:** Subject to applicable provisions of this Ordinance, the following are permitted uses in the R-4 District:

- A. Day care facilities serving twelve (12) or fewer persons.
- B. Essential services.
- C. Public parks, playgrounds, and recreational uses.
- D. Personal wireless service antennas located upon a public structure, as regulated by Section 29 of this Ordinance.
- E. Residential care facilities serving six (6) or fewer persons.
- F. Three-plex, four-plex, and six-plex multiple family units.
- G. Townhouses, quadraminiums, and manor (six unit) homes.
- H. Two family dwelling units.
- I. Single family detached dwellings.

**51.03 INTERIM USES:** Subject to applicable provisions of this Ordinance, the following are interim uses in the R-4 District and are governed by Section 5 of this Ordinance:

- A. Farms, farmsteads, and farming.
- B. Temporary mobile towers as regulated by Section 29 of this Ordinance.

**51.04 USES BY ADMINISTRATIVE PERMIT:** Subject to applicable provisions of this section, performance standards established by this Ordinance, and processing requirements of Section 6, the following are uses allowed in the R-4 District by administrative permit as may be issued by the Zoning Administrator:

- A. Model homes, temporary, as regulated by Section 19 of this Ordinance.
- B. Real estate offices, temporary, as regulated by Section 19 of this Ordinance.

**51.05 ACCESSORY USES:** Subject to applicable provisions of this Ordinance, the following are permitted accessory uses in the R-4 District:

- A. Accessory uses incidental and customary to the uses permitted in Sections 51.02, 51.03, and 51.06 of this Ordinance.
- B. Fences as regulated by Section 15.06 of this Ordinance.
- C. Home occupations and home offices as regulated by Section 25 of this Ordinance.
- D. Non-commercial greenhouses, provided they do not exceed two hundred (200) square feet in area.
- E. Private garages and off-street parking.
- F. Except as otherwise limited, private recreational facilities, only accessory to an existing principal permitted use on the same lot and which are operated for the enjoyment and convenience of the residents of the principal use and their occasional guests.
- G. Radio and television receiving antennas including single satellite dish TVROs, short-wave radio dispatching antennas, or those necessary for the operation of household electronic equipment including radio receivers, federal licensed amateur radio stations and television receivers, as regulated by Section 29 of this Ordinance.

- H. Recreational vehicles and equipment.
- I. Signs as regulated by Section 31 of this Ordinance.
- J. Tool houses, sheds and other such structures for the storage of domestic supplies and equipment.

**51.06 CONDITIONAL USES:** Subject to applicable provisions of this Ordinance, the following are conditional uses in an R-4 District. (Requires a conditional use permit based upon procedures set forth in and regulated by Section 4.02 and 4.04 of this Ordinance.)

- A. Governmental and public related utility buildings and structures necessary for the health, safety and general welfare of the City
- B. Manufactured home parks provided that:
  - 1. The minimum area required for a manufactured home park designation shall be twenty (20) acres.
  - 2. The following minimum lot requirements are satisfactorily met:
    - a. Lot Area: Fifteen Thousand (15,000) Square Feet
    - b. Lot Width: Seventy-Five (75) Feet
    - c. Lot Depth: One Hundred (100) Feet
  - 3. The following principal structure setbacks are satisfactorily met:
    - a. Front Yard:

Setbacks	
<u>From Right-of-Way Lines</u>	<u>Road Class</u>
35 feet	Principal/Minor Arterial
35 feet	Collector Street
35 feet	Local Street
35 feet	From Cul-De-Sac Right-of-Way

Where a lot is located at the intersection of two (2) or more roads or highways which bound two (2) or more sides of the lot, no building shall project beyond the front yard line of either road.

- b. Side Yard: Ten (10) feet
  - c. Rear Yard: Twenty (20) feet
  - d. Buffer Yard: The side yard or rear yard setback shall be:
    - (1) Thirty-five (35) feet if abutting an existing business district.
    - (2) Fifty (50) feet if abutting an existing industrial district.
  - 4. Accessory buildings, uses and equipment comply with the applicable provisions of Chapter 15.04 of this Ordinance.
  - 5. The total ground area of all residential buildings not exceed a lot coverage of thirty (30) percent.
  - 6. All residences be limited to a maximum height of one (1) story or twenty-five (25) feet.
  - 7. The manufactured home park is developed in accordance with the City's Subdivision Ordinance and all public improvement requirements incorporated therein.
  - 8. A storm shelter is provided in compliance with Minnesota Statutes. The City may require additional measures as determined necessary to safeguard the health and safety of persons occupying the manufactured home park. Such measures may include but shall not be limited to screening and/or landscape berms. All emergency storm protection measure shall be subject to City Council approval.
  - 9. The manufactured home park shall comply with Minnesota Statutes 327.20 et seq or all applicable City ordinances whichever is the more restrictive.
- C. More than one (1) principal structure per lot.
- D. Personal wireless service towers and antennas not located on a public structure as regulated by Section 29 of this Ordinance.

**51.07 LOT AREA AND SETBACK REQUIREMENTS:** The following minimum requirements shall be observed in an R-4 District subject to additional requirements, exceptions and modifications set forth in this Ordinance.

A. Lot Area:

1. Single Family:

- a. Minimum Lot Area: Nine thousand (9,000) square feet.
- b. Minimum Lot Width: Sixty (60) feet.
- c. Minimum Lot Depth: One hundred (100) feet.

2. Two Family:

- a. Minimum Lot Area Per Dwelling Unit: Seven thousand five hundred (7,500) square feet.
- b. Minimum Total Lot Area: Fourteen thousand (14,000) square feet.

3. Townhouses, Quadraminiums, Manor Homes:

- a. Minimum Lot Area Per Dwelling Unit: Five thousand (5,000) square feet.
- b. Minimum Total Lot Area: Twenty thousand (20,000) square feet.

4. Multiple Family Dwellings:

- a. Minimum Lot Area Per Dwelling Unit: Two thousand five hundred (2,500) square feet.
- b. Minimum Total Lot Area: Twenty thousand (20,000) square feet.

B. Principal Structure Setbacks:

1. Front Yard:

Setbacks From Right of-Way Lines	Road Class
35 feet	Principal/Minor Arterial Street
35 feet	Collector Street
35 feet	Local Street
35 feet	From Cul-De-Sac Right-of-Way

Where a lot is located at the intersection of two (2) or more streets that bound two (2) or more sides of the lot, no building shall project beyond the front yard line of either street.

2. Side Yard: Ten (10) feet.
  3. Rear Yard: Twenty (20) feet.
  4. Buffer Yard: The side yard or rear yard setback shall be:
    - a. Thirty-five (35) feet if abutting an existing business district.
    - b. Fifty (50) feet if abutting an existing industrial district.
- C. Accessory Structure Setbacks as regulated by Section 15.04 of this Ordinance.

**51.08 LOT COVERAGE AND HEIGHT:** The following requirements shall be observed in an R-4 District:

- A. The total ground area of all residential buildings shall not exceed a lot coverage of thirty (30) percent.
- B. All principal buildings shall be limited to a maximum height of three (3) stories or thirty-five (35) feet.
- C. Accessory uses shall be governed by Section 15.04 of this Ordinance.

**SECTION 52**  
**R-5, HIGH DENSITY RESIDENTIAL DISTRICT**

Subdivision

- 52.01 Purpose
- 52.02 Permitted Uses
- 52.03 Interim Uses
- 52.04 Uses by Administrative Permit
- 52.05 Accessory Uses
- 52.06 Conditional Uses
- 52.07 Lot Area and Setback Requirements
- 52.08 Schedule of Allowances
- 52.09 Lot Coverage, Height and Bulk

<sup>4</sup> **52.01 PURPOSE:** The purpose of the R-5, High Density Residential District is to provide for high density housing and directly related complementary uses. The allowance of such uses are dependent upon the availability of publicly controlled sanitary sewer service and only within portions of the City which have been designated as urban service areas by the Comprehensive Plan.

**52.02 PERMITTED USES:** Subject to applicable provisions of this Ordinance, the following are permitted uses in the R-5 District:

- A. Day care facilities serving twelve (12) or fewer persons.
- B. Essential services.
- C. Multiple family dwellings.
- D. Personal wireless service antennas located upon a public structure, as regulated by Section 29 of this Ordinance.
- E. Public parks, playgrounds, and recreational uses.
- F. Residential care facilities serving six (6) or fewer persons.
- G. Townhouses, quadraminiums, and manor homes.

**52.03 INTERIM USES:** Subject to applicable provisions of this Ordinance, the following are interim uses in the R-5 District and are governed by Section 5 of this Ordinance:

- A. Farms, farmsteads, and farming.
- B. Temporary mobile towers as regulated by Section 29 of this Ordinance.

**52.04 USES BY ADMINISTRATIVE PERMIT:** Subject to applicable provisions of this section, performance standards established by this Ordinance, and processing requirements of Section 6, the following are uses allowed in the R-4 District by administrative permit as may be issued by the Zoning Administrator:

- A. Model homes, temporary, as regulated by Section 19 of this Ordinance.
- B. Real estate offices, temporary, as regulated by Section 19 of this Ordinance.

**52.05 ACCESSORY USES:** Subject to applicable provisions of this Ordinance, the following are permitted accessory uses in an R-5 District:

- A. Accessory uses incidental and customary to the uses permitted in Sections 52.02, 52.03, and 52.06 of this Ordinance.
- B. Fences as regulated by Section 15.06 of this Ordinance.
- C. Home occupations and home offices as regulated by Section 25 of this Ordinance.
- D. Non-commercial greenhouses, provided they do not exceed two hundred (200) square feet in area.
- E. Private garages and off-street parking.
- F. Except as otherwise limited, private recreational facilities, only accessory to an existing principal permitted use on the same lot and which are operated for the enjoyment and convenience of the residents of the principal use and their occasional guests.
- G. Radio and television receiving antennas including single satellite dish TVROs, short-wave radio dispatching antennas, or those necessary for the operation of household electronic equipment including radio receivers, federal licensed amateur radio stations and television receivers, as regulated by Section 29 of this Ordinance.
- H. Recreational vehicles and equipment.
- I. Signs as regulated by Section 31 of this Ordinance.

- J Tool houses, sheds and other such structures for the storage of domestic supplies and equipment.

**52.06 CONDITIONAL USES:** Subject to applicable provisions of this Ordinance, the following are conditional uses in an R-5 District. (Requires a conditional use permit based upon procedures set forth in and regulated by Section 4.02 and 4.04 of this Ordinance.)

- A. Elderly (senior citizen) housing, provided that:
  - 1. Not more than ten (10) percent of the occupants may be persons sixty (60) years of age or under.
  - 2. To continue to qualify for the elderly housing classification, the owner or agency shall annually file with the Zoning Administrator a certified copy of a monthly resume of occupants or such a multiple dwelling, listing the number of tenants by age and clearly identifying and setting forth the relationship of all occupants sixty (60) years of age or under to qualified tenants, or to the building.
  - 3. Elevator service is provided to each floor level above ground floor.
- B. Halfway houses provided that the use is licensed by the State.
- C. Nursing homes and similar group housing, but not including hospitals, sanitariums, or similar institutions, provided that:
  - 1. Side yards are double the minimum requirements established for this district.
  - 2. Only the rear yard shall be used for play or recreational areas.
  - 3. The site shall be served by an arterial or collector street of sufficient capacity to accommodate traffic which will be generated.
  - 4. All State statutes and regulations governing such use are strictly adhered to and all required operating permits are secured.
- D. Manufactured home parks provided that:
  - 1. The minimum area required for a manufactured home park designation shall be twenty (20) acres.

2. The following minimum lot requirements are satisfactorily met:
  - a. Lot Area: Fifteen Thousand (15,000) Square Feet
  - b. Lot Width: Seventy-Five (75) Feet
  - c. Lot Depth: One Hundred (100) Feet
3. The following principal structure setbacks are satisfactorily met:

- a. Front Yard:

<u>Setbacks</u> <u>From Right-</u> <u>of-Way Lines</u>	<u>Road Class</u>
35 feet	Principal/Minor Arterial Street
35 feet	Collector Street
35 feet	Local Street
35 feet	From Cul-De-Sac Right-of-Way

Where a lot is located at the intersection of two (2) or more roads or highways which bound two (2) or more sides of the lot, no building shall project beyond the front yard line of either road.

- b. Side Yard: Ten (10) feet.
- c. Rear Yard: Twenty (20) feet.
- d. Buffer Yard: The side yard or rear yard setback shall be:
  - (1) Thirty-five (35) feet if abutting an existing business district.
  - (2) Fifty (50) feet if abutting an existing industrial district.
4. Accessory buildings, uses and equipment comply with the applicable provisions of Chapter 15.04 of this Chapter.
5. The total ground area of all residential buildings not exceed a lot coverage of thirty (30) percent.
6. All residences be limited to a maximum height of one (1) story or twenty-five (25) feet.
7. The manufactured home park is developed in accordance with the City's Subdivision Ordinance and all public improvement requirements incorporated therein.

8. A storm shelter is provided in compliance with Minnesota Statutes. The City may require additional measures as determined necessary to safeguard the health and safety of persons occupying the manufactured home park. Such measures may include but shall not be limited to screening and/or landscape berms. All emergency storm protection measure shall be subject to City Council approval.
  9. The manufactured home park shall comply with Minnesota Statutes 327.20 et seq or all applicable City ordinances whichever is the more restrictive.
- E. More than one (1) principal building on a lot.
- F. Personal wireless service towers and antennas not located on a public structure, as regulated by Section 29 of this Ordinance.
- G. Public or semi-public recreational buildings and neighborhood or community centers; public and private educational institutions limited to elementary, junior high and senior high schools; and religious institutions such as churches, chapels, temples and synagogues provided that side yards shall be double that required for the district.
- H. Swimming pools as an accessory use provided that:
1. The use is fenced in accordance with Section 16 of this Chapter.
  2. The use is not located within the front yard.
  3. The use shall meet setbacks for principal structures.
  4. All necessary City permits are obtained for the use.

**52.07 LOT AREA AND SETBACK REQUIREMENTS:** The following minimum requirements shall be observed in an R-5 District subject to additional requirements, exceptions and modifications set forth in this Ordinance.

- A. Lot Area:
1. Townhouses, Quadraminiums, Manor Homes:
    - a. Minimum Lot Area Per Dwelling Unit: Five thousand (5,000) square feet.

b. Minimum Total Lot Area: Twenty thousand (20,000) square feet.

2. Multiple Family Dwellings:

a. Minimum Lot Area Per Dwelling Unit: Two thousand five hundred (2,500) square feet.

b. Minimum Total Lot Area: Twenty thousand (20,000) square feet.

3. Multiple Family Dwelling-Elderly Housing:

a. Minimum Lot Area Per Dwelling Unit: One thousand (1,000) square feet per unit.

b. Minimum Total Lot Area: Forty thousand (40,000) square feet.

B. Principal Structure Setbacks:

1. Front Yard:

Setbacks  
From Right  
of-Way Lines

Road Class

35 feet	Principal/Minor Arterial Street
35 feet	Collector Street
35 feet	Local Street
35 feet	From Cul-De-Sac Right-of-Way

Where a lot is located at the intersection of two (2) or more streets that bound two (2) or more sides of the lot, no building shall project beyond the front yard line of either street.

2. Side Yard: Ten (10) feet.

3. Rear Yard: Twenty (20) feet.

4. Buffer Yard: The side or rear yard setback shall be:

a. Thirty-five (35) feet if abutting an existing business district.

b. Fifty (50) feet if abutting an existing industrial district.

C. Accessory Structure Setbacks as regulated by Section 15.04 of this Ordinance.

**52.08 SCHEDULE OF ALLOWANCES:** Except for elderly housing, the lot areas per multiple family dwelling unit prescribed above shall be further subject to the following schedule of allowances, which shall be added to or subtracted from the minimum lot area per dwelling unit as prescribed, thereby relating density requirements to the location, use and access provided the property.

- A. For each parking space provided under the living area of a building or underground subtract three hundred (300) square feet.
- B. If an adjacent site is zoned A-2, R-1, R-2, R-3, or R-4 Residential use, add three hundred (300) square feet per unit for that portion of any building within two hundred (200) feet of said district.
- C. If an adjacent site is zoned for commercial, industrial or institutional use, subtract three hundred (300) square feet per unit for that portion of any building within two hundred (200) feet of said district.
- D. For each unit containing bedrooms in excess of two (2), add three hundred (300) square feet.
- E. The maximum allowance which may be subtracted under Section 52.08.A and C of this Ordinance shall be five hundred (500) square feet per unit.

**52.09 LOT COVERAGE, HEIGHT AND BULK:** The following lot coverage, height and bulk requirements shall be observed in the R-5 District:

- A. The total lot coverage of all buildings shall not exceed thirty (30) percent.
- B. The maximum floor area ratio (F.A.R.) shall be 0.7.
- C. All principal buildings shall be limited to a maximum height of three (3) stories or thirty-five (35) feet.
- D. Accessory buildings shall be governed by Section 15.04 of this Ordinance.

**SECTIONS 53 THROUGH 54. RESERVED**